

BOISE, FRIDAY, FEBRUARY 25, 2022, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

CITY OF RIRIE,)	
)	
Petitioner-Respondent on Appeal-)	
Cross Appellant,)	
)	
v.)	
)	
TINA GILGEN, an individual,)	
)	
Respondent-Appellant-)	Docket No. 48558
Cross Respondent,)	
)	
and)	
)	
COUNTY OF JEFFERSON, by and)	
through the Jefferson County)	
Commissioners, Scott Hancock, Chair,)	
)	
Respondent.)	
_____)	

Appeal from the District Court of the Seventh Judicial District of the State of Idaho, Jefferson County. Steven W. Boyce, District Judge.

Manwaring Law Office, P.A., Idaho Falls, attorney for Appellant.

Dunn Law Offices, LLC, Rigby, attorney for Respondent.

The Jefferson County Board of Commissioners (Board) granted Appellant Tina Gilgen a conditional use permit allowing her to place a mobile home on her real property located in Jefferson County. The City of Ririe (City) petitioned for judicial review, asserting that the Board erroneously applied the Jefferson County zoning ordinances instead of the City's zoning ordinance when the location of the property fell within the City's Area of Impact. The City alleged the applicable City ordinances did not allow trailer houses to be placed within the Area of Impact. The district court vacated the County's decision and remanded the matter. Gilgen filed several motions for reconsideration, which were all denied. Gilgen now appeals and raises several issues, including: whether the district court erred in determining it had subject matter jurisdiction over the City's petition for judicial review, whether the district court abused its discretion in denying Gilgen's motions for reconsideration, and whether the district court erred in denying her husband, Kelly Gilgen's motion to intervene. The City cross-appeals, arguing that Gilgen never had a permit

to move the trailer, Gilgen's appeal should be dismissed for failing to include Jefferson County as a party on appeal, and that the district court should have awarded the City attorney fees below.